CERTIFICATE OF MAILING 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

Name of Person Signing Certificate: Rochelle M. Pleasant

12-30.2002

NOULLE M P

#12



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

In re Applicant:

RAMKRISHNA PRAKASH DAVID M. ABMAYR JEFFREY H. HILLAND JAMES FOUTS

SCOTT C. JOHNSON WILLIAM F. WHITEMAN

Filed:

For:

December 31, 2001

8

Serial No.:

10/039,125

ARCHITECTURAL BASIS FOR

THE BRIDGING OF SAN AND

LAN INFRASTRUCTURES

Confirmation No.: 1059

Art Unit:

2151

Examiner:

Docket No.:

H052617.1136US0

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

RECEIVED

BOX DAC

Commissioner of Patents Washington, D.C. 20231

JAN 0 6 2003

OFFICE OF PETITIONS

Dear Commissioner:

On October 30, 2002, the Office of Petitions issued a decision ("Decision") refusing status under 37 C.F.R. 1.47(a) in response to Applicant's Petition filed on September 6, 2002. As requested by the Office of Petitions, Applicants believe they has fully complied with the requirements under 37 C.F.R. 1.47(a) for a grantable petition. In support of this, Applicants enclose the following documents:

- 1. Letter to Mr. Scott C. Johnson dated December 16, 2002, enclosing:
 - a. Patent Application as filed on December 31, 2001;
 - b. Declaration; and
 - c. Assignment;

- 2. Certified Mail Receipt postmarked by the United States Post Office on December 17, 1002; and
- 3. Declaration of Rochelle M. Pleasant dated December 30, 2002.

REMARKS

<u>Inventor James C. Fouts</u>. On November 21, 2002, Rochelle M. Pleasant emailed inventor James C. Fouts and left a voicemail message for him at his employment on November 21, 2002. On Monday, December 2, 2002, Ms. Pleasant received a response to her email from Mr. Fouts stating he had signed and mailed the signed Declaration on that day. Shortly thereafter, the signed Declaration of James C. Fouts was received and is enclosed herewith for filing.

Inventor Scott C. Johnson. After several Internet searches and obtaining additional information concerning non-signing inventor Scott C. Johnson, Ms. Pleasant sent a letter to him via certified mail, return receipt requested, and a copy via first class mail on December 16, 2002 (see Exhibits 1 and 2). To this date, the return receipt acknowledging the certified mail delivery has not been received by the undersigned, nor has the package sent via regular mail been returned to us as "undeliverable." After performing a search and purchasing a "Basic People Locate" report on www.ussearch.com, using the additional information provided by former co-workers of Mr. Johnson, the undersigned believes they have the correct residential information for Mr. Scott C. Johnson (see Declaration of Rochelle M. Pleasant attached as Exhibit 3). Applicants have the basis to believe that the Scott C. Johnson of Cleveland, Ohio referenced in the Decision is not the inventor in this application. In fact, recent information as discussed below indicates that inventor Scott C. Johnson resides in Austin, Texas.

Prior to filing this Request for Reconsideration, Ms. Rochelle M. Pleasant, Prosecution Paralegal of the law firm of Akin Gump Strauss Hauer & Feld, LLP (law firm retained by the Assignee of record) attempted to contact Mr. Johnson at his last known home telephone number (512) 310-9311 to discuss this matter, but the message on the answering machine stated "you have reached Shannon and Branna" (see Exhibit 3, ¶ 7). A directory assistance search via telephone and Internet does not list a telephone number for Mr. Johnson at his current residence.

However, as of this morning, December 30, 2002, the undersigned just obtained information regarding the current employer of Scott C. Johnson (see Exhibit 3, ¶ 7).

Statement of Last Known Address

The last known address for Scott C. Johnson is:

Residence Address:

Scott C. Johnson

3612 Galena Hills Loop Round Rock, Texas 78681

Work Address:

Scott C. Johnson

Surgient Networks, Inc. 8303 Mopac, Suite C300 Austin, Texas 78759

CONCLUSION

Applicants have made every effort required by the Rule 37 C.F.R. 1.47(a) to obtain the non-signing inventor's cooperation (Mr. Scott C. Johnson), to no avail. Therefore, Applicant respectfully requests that the Office of Petitions grant Applicant's petition filed on September 6, 2002, and allow this case to proceed; or alternatively, allow additional time to obtain the signature of Mr. Johnson in light of the new information received today, the due date for filing this Request.

If any additional fees are required for entry of this Petition, the Commissioner is hereby authorized to charge our Deposit Account No. 16-2435. A duplicate copy of this document is enclosed for your convenience. If the Examiner has any questions, he is requested to contact the undersigned at (713) 220-5800.

Respectfully submitted,

George W. Jordan III/Reg. No. 41,880

ATTORNEY OF RECORD

Date:

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

711 Louisiana, Suite 1900 Houston, Texas 77002

Telephone: Facsimile:

(713) 220-5800

(713) 236-0822

AKIN GUMP STRAUSS HAUER & FELDLLP

Attorneys at Law

ROCHELLE M. PLEASANT, CLA 713.250.2133/fax: 713.220,2304 rpleasant@akingump.com

December 16, 2002

Scott Conrad Johnson 3612 Galena Hills Loop Round Rock, Texas 78681

Via Certified Mail, RRR #7000 1670 0003 8301 5003 and First Class mail

Re:

U.S. Patent Application Serial No. 10/039,125

Entitled:

Architectural Basis for the Bridging of SAN and LAN Infrastructures

Inventors:

Ramkrishna Prakash, David M. Abmayr, Jeffrey H. Hilland, James Fouts, Scott

C. Johnson and William F. Whiteman

Our ref:

052617.1136

Compaq No.: Applicant:

P99-2712 (ISSG-SPD) Compaq - Houston

Dear Scott:

Enclosed please find the following documents:

1. Patent Application as filed on December 31, 2001; 2.

Declaration; and

3. Assignment.

Please execute the enclosed Declaration and Assignment concurrently, with the Assignment preferably being executed last in front of a Notary Public, and return to our office in the enclosed self-addressed, stamped envelope.

If you refuse to sign the enclosed documents, please indicate so below and return this letter to us in the enclosed self-addressed, stamped envelope. Your cooperation is appreciated.

Sincerely,

Rochelle M. Pleasant, CLA

Prosecution Paralegal

/enclosures

cc:

Susan Scott, M110701

David R. Clonts (of the Firm) Erick Robinson (of the Firm)

052617.1136 HOUSTON 259936 v1



Scott Conrad Johnson Page 2 December 16, 2002

Re:

U.S. Patent Application Serial No. 10/039,125

Entitled:

Architectural Basis for the Bridging of SAN and LAN Infrastructures

Inventors:

Ramkrishna Prakash, David M. Abmayr, Jeffrey H. Hilland, James Fouts, Scott

C. Johnson and William F. Whiteman

Our ref:

052617.1136

Compaq No.: Applicant:

P99-2712 (ISSG-SPD) Compaq – Houston

Date:			

"I, Scott C. Johnson, joint inventor of U.S. Application Serial No. 10/039,125, refuse to sign the enclosed Declaration and Assignment."

Scott C. Johnson 3612 Galena Hills Loop Round Rock, Texas 78681



Attorney Docket No. <u>H052617.1136US0</u>

JOINT INVENTORS ORIGINAL

DECLARATION

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A DOWNER CONTINUE AND DESCRIPTION OF THE PARTY OF THE PAR

ARCHITECTURAL BA	SIS FOR THE BRIDGING (OF SAN AND	LAN IN	IFRAS	TRUCT	URES	
as described in the specification [] attached amended on	I or [X] of patent Application Ser	rial No. <u>10/03</u>	9,125	, filed]	Decemb	er 31, 2001	and
I hereby state that I have reviewed and under any amendment referred to above; that I do before my or our invention thereof, or patent more than one year prior to this application; before the date of this application in any or representative or assigns more than twelve which I am aware which is material to the 1.56(a). Such information is material when and (1) it establishes, by itself or in corrections of the state	not know and do not believe the sated or described in any printed public that the invention has not been pacountry foreign to the United Stamonths prior to this application; examination of this application in it is not cumulative to information.	ume was ever kno lication in any contented or made to tes of America of and that I ackno n accordance with already of record a prima facie case	own or us ountry be he subject on an ap wledge to th Title 3 I or being	sed in the fore my ct of an in plication he duty 37, Code g made o	e United or our in nventor's filed b to disclo of Fede f record	States of An avention their scertificate by me or my use informateral Regulation the applications.	merica reof or issued legal ion of
(2) it refutes, or is inconsistent with (i) opposing an argumen	n, a position the applicant has taken it of unpatentability relied on by th	n or may take in: e Office, or					
(ii) asserting an argumen I hereby claim foreign priority benefits unc certificates listed below and have also identi which priority is claimed:	t of patentability. ler Title 35. United States Code 8	5 119 of any for	eign app ng date l	before the	at of the	application	entor's (s) on
COUNTRY	APPLICATION NUMBER	DATE OF FI	LING	PRIC UN	DRITY C DER 35 U	LAIMED JSC 119	-
					YES	NO.	
					YES	МО	
I hereby claim the benefit under Title 35 Usubject matter of any claim of this application material information as defined in Title 37, application and the national or PCT internation.	on is not disclosed in the prior Un Code of Federal Regulations § 1 onal filing date of this application:	ited States Appli .56(a) which occ	cation, I curred be	acknowl tween th	ledge the	e duty to dis date of the	sclose prior
I hereby declare that all statements made her believed to be true; and further that these sta punishable by fine or imprisonment, or both, may jeopardize the validity of the application	tements were made with the know under Section 1001 of Title 18 of t	ledge that willfu	I false st	atements	and the	like so mad	le are
FULL NAME OF JOINT INVENTOR	INVENTOR'S SIGNATURE		D/	ATE	·]
RAMKRISHNA PRAKASH							
RESIDENCE			CT	TIZENSHIP			
Houston, Texas			Ţ	J.S.A.			
MAILING ADDRESS							
19626 Remington Crest Court, He	ouston, Texas 77094-297	7					
	INVENTOR S SIGNATURE		.	ATE			
DAVID M. ABMAYR RESIDENCE			Cr	TIZENSHIP			
Spring, Texas			ı	J.S.A.			
MAILING ADDRESS							
18211 Fernbluff Drive, Spring, To	exas 77379						

FULL NAME OF JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE .
JEFFREY H. HILLAND	·	
RESIDENCE		CITIZENSHIP
Cypress, Texas		U.S.A.
MAILING ADDRESS		
12542 Sable Leaf, Cypress, Texas	77429	
FULL NAME OF JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
JAMES FOUTS		
RESIDENCE		CITIZENSHIP
Bellevue, Washington		U.S.A.
MAILING ADDRESS		
514-176 Lane N.E., Bellevue, Wasi	hington 98008	
FULL NAME OF JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
SCOTT C. JOHNSON		
RESIDENCE		CITIZENSHIP
Round Rock, Texas		U.S.A.
MAILING ADDRESS		
3612 Galena Hills, Round Rock, Te	exas 78681	٩
FULL NAME OF JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
WILLIAM F. WHITEMAN		
RESIDENCE		CITIZENSHIP
Cypress, Texas		U.S.A.
14210 Galvani Drive, Cypress, Tex	as 77429	

ASSIGNMENT

WHEREAS, we, RAMKRISHNA PRAKASH, DAVID M. ABMAYR, JEFFREY H. HILLAND, JAMES FOUTS, SCOTT C. JOHNSON and WILLIAM F. WHITEMAN, are joint inventors of ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN AND LAN INFRASTRUCTURES application for United States Letters Patent application Serial No. 10/039,125, filed December 31, 2001; and

WHEREAS, COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P. ("CITG"), a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by CITG and for other good and valuable considerations, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to CITG, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, reexaminations and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by CITG for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted, reexamined or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to CITG, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to CITG, its successors, assigns, or other legal representatives and that if CITG, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reexamination or reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to CITG, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and

testify as to the same in any interference further compensation but at the expens representatives.	or other litigation when requested so to do, without e of said assignee, its successors, or other legal
EXECUTED THIS day of	, 2002.
	RAMKRISHNA PRAKASH
	id uniddom w Projection
STATE OF TEXAS §	
COUNTY OF HARRIS §	
RAMKRISHNA PRAKASH, known to me	authority, on this day personally appeared to be the person whose name is subscribed to the me that he executed the same for the purposes and
GIVEN UNDER MY HAND and sea	al of office this, 2002.
	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
* * * *	* * * * * *
EVECIFED THE	2002
EXECUTED THIS day of	, 2002.
•	* ·
	DAVID M. ABMAYR
STATE OF TEXAS §	
STATE OF TEXAS § COUNTY OF HARRIS §	
ABMAYR, known to me to be the person w	nority, on this day personally appeared DAVID M. hose name is subscribed to the foregoing instrument, the same for the purposes and consideration therein
GIVEN UNDER MY HAND and sea	l of office this day of, 2002.
	NOTARY PUBLIC IN AND FOR THE

EXECUTED THIS da	y of	, 2002.
		JEFFREY H. HILLAND
STATE OF TEXAS	§ §	
COUNTY OF HARRIS REFORE ME, the underside	Ū	thousts on this day was 11
HILLAND, known to me to be the	person	thority, on this day personally appeared JEFFREY I whose name is subscribed to the foregoing instrument the same for the purposes and consideration therein
GIVEN UNDER MY HANI	and so	eal of office this day of, 2002.
	•	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
*	* * *	* * * * * * *
EXECUTED THIS day	of	, 2002.
		JAMES FOUTS
STATE OF WASHINGTON	§ §	
COUNTY OF	§	·
fools, known to me to be the perso	n who:	uthority, on this day personally appeared JAMES se name is subscribed to the foregoing instrument, and e same for the purposes and consideration therein
GIVEN UNDER MY HAND	and se	al of office this day of, 2002.
		NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

EXECUTED THIS ____ day of SCOTT C. JOHNSON STATE OF TEXAS **COUNTY OF TRAVIS** BEFORE ME, the undersigned authority, on this day personally appeared SCOTT C. JOHNSON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2002. NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS EXECUTED THIS _____ day of ______, 2002. WILLIAM F. WHITEMAN STATE OF TEXAS **COUNTY OF HARRIS** BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM F. WHITEMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND and seal of office this ____ day of ______, 2002. NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



APPLICATION FOR PATENT

TITLE:

ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN AND

LAN INFRASTRUCTURES

INVENTORS:

RAMKRISHNA PRAKASH, DAVID M. ABMAYR, JEFFREY R. HILLAND, JAMES FOUTS, SCOTT C. JOHNSON, and WILLIAM

F. WHITEMAN

SPECIFICATION

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] Not applicable.

STATEMENTS REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT

[0002] Not applicable.

REFERENCE TO A MICROFICHE APPENDIX

[0003] Not applicable.

BACKGROUND OF THE INVENTION

1. Field of the Invention

[0004] The invention relates to architectures that utilize multiple servers connected in server clusters to manage application and data resource requests.

2. Description of the Related Art

[0005] The exponential increase in the use of the Internet has caused a substantial increase in the traffic across computer networks. The increased traffic has accelerated the demand for network designs that provide higher throughput. As shown in FIG. 1, one approach to increasing throughput has been to replace powerful stand-alone servers with a network of multiple servers, also known as distributed Internet server arrays (DISAs). In their most simplest form, DISAs utilize a shared transaction architecture such that each server receives an incoming transaction in a round-robin fashion. In a more sophisticated form,

DISAs utilize load balancing techniques that incorporate distribution algorithms that are more complex. In any case, load balancing is intended to distribute processing and communications activity among the servers such that no single device is overwhelmed.

[0006] Typically, and as shown in FIG. 1, DISAs 410, like local area networks (LANs) 420, and particularly LANs 420 connected to the Internet 430, transmit data using the Transmission Control Protocol/Internet Protocol (TCP/IP), see LAN connections 415 in FIG. 1. The TCP/IP protocol was designed for the sending of data across LAN-type architectures. However, DISAs 410, unlike LANs, contain a limited number of server nodes and are all generally located in very close proximity to one another. As such, DISAs 410 do not face much of the difficulties associated with transactions traveling over LANs 420, and as such, do not need much of the functionality and overhead inherent to the TCP/IP protocol. When DISAs are required to use TCP/IP, for example, and as shown by the solid line connections 415, such DISAs are disadvantaged by having to encapsulate and de-encapsulate data as it is travels within the cluster of servers. In fact, as the industry has provided LAN interconnects significantly larger than 100 Mb, i.e., 1 Gb and larger, both application and data resource servers have spent disproportionate amounts of Central Processing Unit (CPU) time processing TCP/IP communications overhead, and have experienced a negative impact in their price/performance ratio as a result. Therefore, although the use of TCP/IP protocol makes sense for transactions traveling across LANs, its use makes less sense for transactions traveling strictly within a DISA.

BRIEF SUMMARY OF THE INVENTION

[0007] Briefly, an illustrative system provides an architecture and method of using a router node to connect a LAN to a server cluster arranged in a System Area Network (SAN). The router node is capable of distributing the LAN based traffic among the SAN server nodes. The LAN uses a LAN based protocol such as TCP/IP. While the SAN uses a SAN based protocol such as Next Generation I/O (NGIO), Future I/O (FIO) or INFINIBAND. The illustrative system, unlike systems where SANs use a LAN based protocol, is able to achieve greater throughput by eliminating LAN based processing in portions of the system.

[0008] To achieve this functionality, the router node and the cluster nodes have agents to control the flow of transactions between the two types of nodes. The router node contains a router management agent and a filter agent. The router management agent contains three additional agents: session management agent, policy management agent and routing agent. The session management agent is responsible for management of the connections between a remote client and a cluster node via a router node. The policy management agent holds and controls the policies under which the system operates. The routing agent works with the filter agent to direct incoming LAN service requests and data to the appropriate cluster node. The filter agent performs address translation to route packets within the SAN cluster and the LAN.

[0009] The cluster nodes contain a node management agent. The node management agent contains a session management agent and a policy management agent. These session management agents and policy management agents perform the cluster node portion of the same functionality as their counter parts in the router node. One of the cluster nodes is selected as the management node and sets the policies on the router. The management node also includes an additional agent, the monitoring agent, which enables the management node to query the router node on a variety of statistics.

BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWINGS

[0010] A better understanding of the present invention can be obtained when the following detailed description of the disclosed embodiment is considered in conjunction with the following drawings, in which:

Figure 1 is a component diagram showing a typical LAN-DISA architecture utilizing a LAN based protocol;

Figure 2 is a block diagram showing a LAN-SAN architecture where both LAN based and SAN based protocols are used;

Figure 3 is a component diagram showing a LAN-SAN architecture where both LAN based and SAN based protocols are used;

Figure 4 is a block diagram showing the LAN-SAN architecture in greater detail including each of the multiple agents utilized in the disclosed embodiments;

Figure 5 shows the format of the policy table; and

Figure 6 shows the format of the session table.

DETAILED DESCRIPTION OF THE INVENTION

[0011]As shown in FIGS. 2 and 3, the disclosed embodiments include all the functionality present in traditional DISA load balancing. However, unlike traditional DISAs that use the same protocols as the LANs they are connected to, i.e., TCP/IP, the disclosed embodiments instead use DISAs which operate under separate System Area Networks SAN based protocols. SAN based protocols are used in SAN-type architectures where cluster nodes are located in close proximity to one another. SAN based protocols provide high speed, low overhead, non-TCP/IP and highly reliable connections. By using such SAN based protocols DISAs are able to take advantage of the processing efficiencies associated with SAN based protocols such as NGIO, FIO and INFINIBAND, all of which are optimally suited for stand alone server clusters or SANs. This dual approach of having separate protocols for connected LANs and SANs allows the burden of the TCP/IP processing to be offloaded from application and data resource servers to router nodes which allows each type of node to concentrate on what it does best. Further, each of the different types of devices can be optimized to best handle the type of work they perform. The disclosed embodiments accommodate higher bandwidth TCP/IP processing than that found in traditional server networks.

[0012] As shown in FIGS. 2 and 4, the Cluster or Server SAN Nodes 20, made up of application server nodes 220 and data resource server nodes 210, are connected to one another via a SAN 40. As shown in FIGS. 2-4, the SAN 40 in turn is connected to a Router Node 10. The Router Node 10 is thereafter connected to the LAN 30. Further, in greater detail as shown in FIGS. 2-4, the Cluster Nodes 20 are attached to one or more Router Nodes 10 via a SAN 40. The Router Node 10 may be thereafter connected to a firewall 70 via a LAN 30, as shown in FIG. 3. Finally, the firewall 70 may be connected to the Internet 50 via a WAN 60 connection, as shown in FIG. 3. Other architectures connecting a SANs and LANs could also be used without departing from the spirit of the invention.

[0013] FIG. 4 shows a detailed view of the disclosed embodiment. As shown, the Router Node 10 is connected at one end, to the LAN 30 through a LAN network interface controller (NIC) 170 using a TCP/IP connection, and at the other end, is connected through a SAN NIC 100 to the SAN 40 running a SAN based protocol such as NGIO, FIO or INFINIBAND. The Router Node 10 provides the translation function between the LAN protocol and the SAN

protocol and distributes LAN originated communications across the Cluster Nodes 20. Also connected to the SAN 40 are Cluster Nodes 20. As a result, the SAN protocol is used for communication within the cluster and the LAN protocol is used for communication outside the cluster. Although the LAN and SAN protocols mentioned above can operate in conjunction with the disclosed embodiments, other LAN and SAN protocols may also be used without departing from the spirit of the invention.

[0014] Although only one Router Node 10 is depicted, it is contemplated that multiple Router Nodes 10 may be used. If multiple Router Nodes 10 are used, they may be so arranged as to perform in a fail-over-type functionality, avoiding a single point of failure. In the fail-over-type functionality, only one Router Node 10 would be functioning at a time. But, if the node was to fail, the next sequential Router Node 10 would take over. Such an arrangement would provide protection against loosing communications for an extended period of time. Alternatively, if multiple Router Nodes 10 are used, they may be arranged such that they each work in parallel. If this parallel functionality were imposed, all of the Router Nodes 10 would be able to function at the same time. This architecture would likely allow greater throughput for the system as a whole since the data processing time to process TCP/IP packets that pass through a Router Node 10 is comparatively slow to the speed at which the requests can be handled once reaching a SAN 40. Thus, in this architecture, enough Router Nodes 10 could be added to the system to balance the rate at which requests are received by the system (LAN activity) and the rate at which the system is able to process them (SAN activity).

[0015] As shown in FIG. 4, the Router Node 10 is made up of a Router Management Agent (RMA) 130 and a Filter Agent 140. The RMA 130 interacts with the Node Management Agent (NMA) 230, described below, to implement distribution policies and provide statistical information of traffic flow. The RMA 130 is further comprised of a Policy Management Agent 136 (PMA), Session Management Agent (SMA) 134, and a Routing Agent 132. The PMA 136 is responsible for setting up the service policies and routing policies on the Router Node 10. It is also responsible for configuring the view that the Router Node 10 presents to the outside world. The SMA 134 is responsible for the management of a session. A session is a phase that follows the connection establishment phase where data is transmitted between a Cluster Node 20 and a Remote Client 80 (such as a node in a LAN cluster) via the Router Node 10. Among other functions, the SMA 134 is

responsible for the "tearing down" or closing of a session connection between a Cluster Node 20 and a Router Node 10. A Routing Agent 132 is the software component of the RMA 130 responsible for maintaining the Policy Table and routing policies, i.e., the connection information. The Routing Agent 132 works in conjunction with the Filter Agent 140 to direct incoming TCP/IP service requests, as well as data, to the appropriate Cluster Node 20. The Filter Agent 140 is responsible for conversion between the LAN protocol, i.e., TCP/IP, and the SAN protocol and vice-versa.

[0016] The Cluster Nodes 20 include a Node Management Agent (NMA). The NMA 230 further comprises a PMA 136, SMA 134 and a Monitoring Agent 236. Here, the PMA 136 and the SMA 134 perform similar functions to the corresponding agents in the Router Node 10, but do so for the Cluster Node 20. One or more of the Cluster Nodes 20 are designated as a Management Node 28 and sets policies on the Router Node 10. This Management Node 28 contains the only Cluster Node 20 with an Monitoring Agent 236. The Monitoring Agent 236, provides the means to obtain various statistics from the Router Node 10. It may work with the PMA 136 to modify routing policy based on statistical information.

USE AND OPERATION OF DISCLOSED EMBODIMENTS

Generally

[0017] Like typical LAN service requests and grant transactions, the disclosed embodiments interface with the LAN 30 via a socket type interface. A certain number of such sockets are assumed to be 'hailing ports' through which client-requests are serviced by the servers. Once the server accepts a client request, it establishes communication with it via a dedicated socket. It is through this dedicated socket that further communications between the server and the client proceeds until one of the two terminates the connection. It should be noted that the operations of the disclosed embodiments are unaffected by whether LAN 30 is a stand alone LAN, or whether LAN 30 is connected with other LANs to form a WAN, i.e. the Internet.

[0018] In the disclosed embodiment, the Router Node 10 is responsible for ensuring that the data from a Remote Client 80 connection gets consistently routed to the appropriate Cluster Node 20. The main purpose of Router Node 10, in acting as a bridge between the Remote Client 80 and a Cluster Node 20, is to handle the TCP/IP processing and protocol

conversions between the Remote Client 80 and the Cluster Nodes 20. This separation of labor between Router Node 10 and Cluster Node 20 reduces processing overhead and the limitation otherwise associated with Ethernet rates. Further, the Router Node can be optimized in such a manner as to process its protocol conversions in the most efficient manner possible. In the same manner Cluster Nodes 20 can be optimized to perform its functions as efficiently as possible. In operation, the Router Node 10 probes the header field of incoming and outgoing packets to establish a unique connection between a remote client and a SAN Cluster Node 20. In the disclosed embodiment the set of Cluster Nodes 20 are viewed by Remote Clients 80 as a single IP address. This architecture allows the addition of one or more Cluster Nodes 20 in a manner that is transparent to the remote world. It is also contemplated that multiple IP addresses could be used to identify the set of Cluster Nodes 20, and which would allow the reservation of a few addresses for dedicated virtual pipes with a negotiated quality of service.

Connection Setup

[0019] The Filter Agent 140 in the Router Node 10 performs any address translation between the LAN and SAN protocols. The extent of filtering is based on the underlying transport semantics adopted for SAN infrastructure, i.e., NGIO, FIO, INFINIBAND, etc. The connection between a Remote Client 80 and a Cluster Node 20 is setup via a two phase procedure. The first phase and second phase are called the Connection Establishment Phase and the Session Establishment Phase, respectively.

Connection Establishment Phase

[0020] In the Connection Establishment Phase, the Router Node 10 receives a request for connection from a Remote Client 80, and determines, based on connection information in the Policy Table, to which Cluster Node 20 to direct the request. FIG. 5 is an example of a Policy Table which comprises four fields: Service Type, Eligibility, SAN Address and Weight. The Router Node 10 first determines, by probing the incoming TCP/IP packet, the type of service (service request type) for which the Remote Client 80 is requesting a connection. Based on the requested service, the Router Node 10 determines the type of authentication (authentication type) that is required for the requestor. The Eligibility field in the Policy Table encodes the type of authentication required for the service. The procedure to authenticate a requestor may range from being a simple domain based verification to those

based on encryption standards like Data Encryption Standard (DES), IP Security (IPSEC), or the like. Once the requestor has been authenticated the eligible Cluster Nodes 20 capable of servicing the request are determined. Subsequently, one of these eligible Cluster Nodes 20 is selected based on the load balancing policy encoded for the particular service. The Weight field in the Policy Table contains a weighting factor that indicates the proportion of connection requests that can be directed to a particular Cluster Node 20 compared to other Cluster Nodes 20 for a given service. This Weight field is used by the load balancing routine to determine the Cluster Node 20 that would accept this request. Once the Cluster Node 20 has been identified to service the Remote Client 80, the Connection Establishment Phase is complete. The Router Node 10 then communicates with the Cluster Node 20 and completes the establishment of the connection.

Session Establishment Phase

is established, an entry is made in the Session Table for this connection with the Cluster Node 20 is established, an entry is made in the Session Table for this connection so that subsequent data transfers between the Remote Client 80 and the Cluster Node 20 can be routed correctly. The Session Table, as shown in FIG. 6, containing session information, is stored on the Router Node 10 and comprises five fields which are used by the Router Node 10 to dynamically route incoming and outgoing packets to their appropriate destinations: SRC MAC, SRC IP, SRC TCP, DEST SAN and Session. These five fields are stored because they uniquely qualify (identify) a connection. The first three, SRC MAC, SRC IP, and SRC TCP, handle the LAN side, and the last two, DEST SAN and Session Handle, handle the SAN side. Using this information along with a hashing function or a channel access method (CAM), incoming or outgoing traffic can be sent to their correct destinations. Also, those parts of the Session Table on the Router Node 10 that are associated with the session to a particular Cluster Node 20 are stored on the respective Cluster Node 20.

Management Agents

[0022] Two Management Agents, the PMA 136 and the SMA 134, portions of which exist on both the Router Node 10 and each Cluster Node 20, and specifically, within the RMA 130 and NMA 230 respectively, are involved in determining the services provided by the Cluster Nodes 20, and handling the requests from Remote Clients 80. In addition to all the common functions that the PMAs 136 on the Cluster Nodes 20 perform, one or more

Cluster Nodes 20 are designated as Monitoring Agents 236 and are responsible for functions that involve cluster wide policies.

.

Policy Management Agent

[0023] The PMAs 136, existing on both the Router Nodes 10 and Cluster Nodes 20, and the RMA 130 and NMA 230 respectively, enable the Cluster Nodes 20 and Router Nodes 10 to inform and validate the services that each other expect to support. When the Cluster Node 20 is enabled, the PMA 136 on the Cluster Nodes' 20 Management Node 28 informs the Router Node 10, via entries in the Policy Table, see FIG. 3, of which services on what Cluster Nodes 20 are going to be supported. In addition, the Management Node 28 identifies the load-balancing policy that the Router Node 10 should implement for the various services. The load-balancing strategy may apply to all of the Cluster Nodes 20, or to a particular subset. The Management Node 28 is also involved in informing the Router Node 10 of any authentication policies associated with the services handled by the Cluster Nodes 20. Such authentication services (authentication types) may be based on service type, Cluster Node 20 or requesting Remote Client 80.

[0024] Once the cluster wide policies are set, each Cluster Node 20 informs the Router Node 10 when it can provide the services that it is capable of providing. Any Cluster Node 20 can also remove itself from the Router Nodes' 10 list of possible candidates for a given service. However, prior to refusing to provide a particular service, the Cluster Node 20, should ensure that it does not currently have a session in progress involved with that service. The disassociation from a service by a Cluster Node 20 may happen in a two stage process: the first involving the refusal of any new session, followed by the termination of the current session in a graceful and acceptable manner. Further, any Cluster Node 20 can similarly, and under the same precautions, remove itself as an active Cluster Node 20. This can be done by removing itself from its association with all services or the Cluster Node 20 can request that its entry be removed, i.e., that its row in the Policy Table be deleted.

Session Management Agent

[0025] The SMAs, existing on both the Router Nodes 10 and the Cluster Nodes 20, and the RMA 130 and NMA 230 respectively, are responsible for making an entry for each established session between a Remote Client 80 and a Cluster Node 20, and as such, is

responsible for management of the connections between a Remote Client 80 and the Cluster Node 20 via Router Node 10. The Session Table on the Router Node 10 encodes the inbound and outbound address translations for a data packet received from or routed to a Remote Client 80. As discussed above, like the Router Node 10, the Cluster Node 20 contains a Session Table with entries associated with the particular Cluster Node 20. In addition, such Session Table entries may include information regarding an operation that may need to be performed on an incoming packet on a particular session, i.e., IPSec.

Filter Agents

[0026] The Filter Agent, located on the Router Node 10, performs address translation to route packets within the SAN cluster 20 and the LAN 30. The Filter Agent 140 is separate and apart from the RMA 130.

Monitoring Agents

[0027] The Monitoring Agent 236, residing within the NMA 230 solely on the Cluster's Management Node 28, enables Management Node 28 to query the Router Node 10 regarding statistical information. The Monitoring Agent 236 allows the monitoring things like traffic levels, error rates, utilization rates, response times, and like the for the Cluster Node 20 and Router Node 10. Such Monitoring Agents 236 could be queried to determine what was happening at any particular node to see if there is overloading, bottlenecking, or the like, and if so, to modify the PMA 136 instructions or the load balancing policy accordingly to more efficiently process the LAN/SAN processing.

Routing Agents

[0028] The Routing Agent 132, located on the Router Node 10, is the software component that is part of the RMA 130 and is responsible for maintaining the Policy Table and policies. The Routing Agent 132 works in conjunction with the Filter Agent 140 to direct incoming TCP/IP service requests and data to the appropriate Cluster Node 20.

[0029] FIGS. 7-9 represent the SAN packets that travel between the edge device (Router Node 10) and the Cluster Nodes 20 on the SAN 40. These packets do not appear out on the LAN. The LAN packets as they are received from the LAN can be described in the following short hand format "(MAC(IP(TCP(BSD(User data))))).," where you have a MAC header with

its data, which is, an IP header with its data, which is a TCP header with its data, which is a Berkley Socket Design (BSD) with its data, which is the user data. When a TCP/IP request comes in from the LAN, the information from the request is looked up in the Session Table to find the connection using the source (SRC) MAC, SRC IP, SRC TCP and find the destination (DEST) SAN and Session Handle. Then, the payload data unit (PDU) is taken from the TCP packet and placed in the SAN packet as its PDU, i.e., (BSD(User data)), via a Scatter/Gather (S/G) entry. A S/G list/entry is a way to take data and either scatter the data into separate memory locations or gather it from separate memory locations, depending upon whether one is placing data in or taking data out, respectively. For example, if there were a hundred bytes of data, and the S/G list indicated that 25 bytes were at location A, and 75 bytes were at location B, the first 25 byes of data would end up in A through A+24, and the next seventy-five would be placed starting at location B. The format of the SAN packets that are sent out over the SAN can be either (SAN(User data)) or (SAN(BSD(User data))).

[0030] The foregoing disclosure and description of the disclosed embodiment are illustrative and explanatory thereof, and various changes in the agents, nodes, tables, policies, protocols, components, elements, configurations, and connections, as well as in the details of the illustrated architecture and construction and method of operation may be made without departing from the spirit and scope of the invention.

CLAIMS:

We claim:

- A server network architecture, the architecture comprising:
 a plurality of cluster nodes connected via a SAN-based protocol; and
 at least one router node bridging the plurality of cluster nodes to a LAN.
- 2. The architecture of claim 1, wherein the router node is connected to the LAN via a LAN-based protocol.
 - 3. The architecture of claim 2, wherein the LAN-based protocol is TCP/IP.
- 4. The architecture of claim 1, wherein the router node is connected to the plurality of cluster nodes via a SAN-based protocol.
- 5. The architecture of claim 4, wherein the SAN-based protocol is INFINIBAND.
- 6. The architecture of claim 1, wherein a first router node and a second router node bridge the plurality of cluster nodes to the LAN.
 - 7. The architecture of claim 6, wherein the second router node bridges to the plurality of cluster nodes after the first router node fails-over to the second router node.
 - 8. The architecture of claim 6, wherein the first and second router node bridges to the plurality of cluster nodes in parallel.
 - 9. The architecture of claim 1, wherein the router node comprises a session management agent for maintaining session information for sessions between the router node and a cluster node of the plurality of cluster nodes.
- 10. The architecture of claim 1, wherein the router node comprises a policy management agent for maintaining connection information and routing policies for the plurality of cluster nodes.

- 11. The architecture of claim 1, wherein the router node comprises a routing agent for maintaining connection information for the plurality of cluster nodes.
- 12. The architecture of claim 1, wherein the router node comprises a filter agent for bi-directional conversion between the SAN based protocol and a LAN based protocol.
- 13. The architecture of claim 1, wherein at least one cluster node comprises a management node for setting routing policies on the router node.
- 14. The architecture of claim 13, wherein the management node comprises a monitoring agent for obtaining statistics from the router node.
- 15. The architecture of claim 1, wherein a cluster node of the plurality of cluster nodes comprises a session management agent for holding session information.
- 16. The architecture of claim 1, wherein a cluster node comprises a policy management agent for maintaining routing policies for the plurality of cluster nodes.
- 17. A method of bridging a remote LAN client and a SAN cluster node, comprising the steps of:

receiving a LAN protocol communication from the remote LAN client; transforming the LAN protocol communication into a SAN protocol communication; and

sending the SAN protocol communication to a SAN cluster node.

- 18. The method of claim 17, further comprising the step of: establishing a connection between the remote LAN client and the SAN cluster node.
- 19. The method of claim 17, further comprising the step of: maintaining statistical information for the SAN cluster node.

20. A method of bridging a SAN cluster node and a remote LAN client, comprising the steps of:

receiving a SAN protocol communication from the SAN cluster node;

transforming the SAN protocol communication into a LAN protocol communication; and

sending the LAN protocol communication to the remote LAN client.

21. The method of claim 20, further comprising the step of: establishing a connection between the SAN cluster node and the remote LAN client.

22. A router comprising:

- a session management agent to maintain session information for sessions with a plurality of cluster nodes over a LAN;
- a routing agent to maintain connection information for the plurality of cluster nodes connected via a SAN-based protocol; and
- a filter agent to covert between the SAN-based protocol and a LAN-based protocol.

23. The router of claim 22, further comprising:

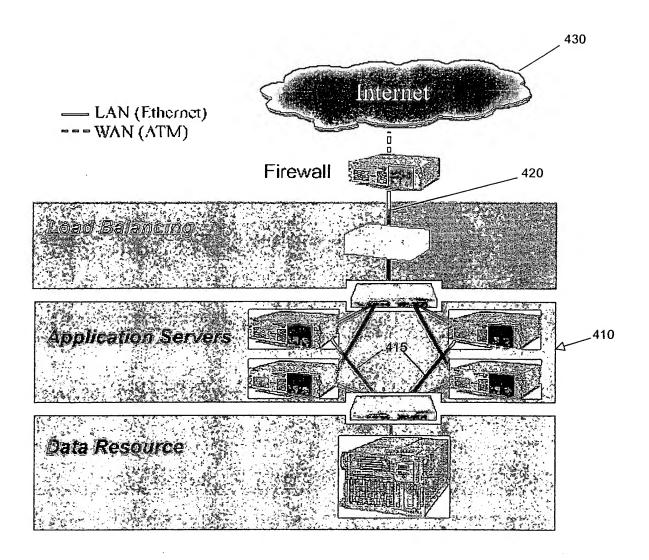
a policy management agent to maintain routing policies for the plurality of cluster nodes.

ABSTRACT

[0031] A system provides a router node to bridge a LAN and a System Area Network (SAN). The router node distributes LAN traffic across the SAN using a router management agent (RMA) and a filter agent (FA); the RMA includes a session management agent (SMA), a policy management agent (PMA) and a routing agent (RA); the SMA manages connections between remote clients and SAN nodes; the PMA maintains system operation policies; the RA with the FA direct LAN packets to SAN nodes; the FA handles conversion between a SAN protocol and a LAN protocol for packets within the SAN/LAN architecture. The cluster nodes include a node management agent (NMA); the NMA includes an SMA and PMA; these two agents perform the same functions as those in the router node; and a management node sets policies on the router node and includes a monitoring agent to query router node statistics.

ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN AND LAN INFRASTRUCTURES TITLE:

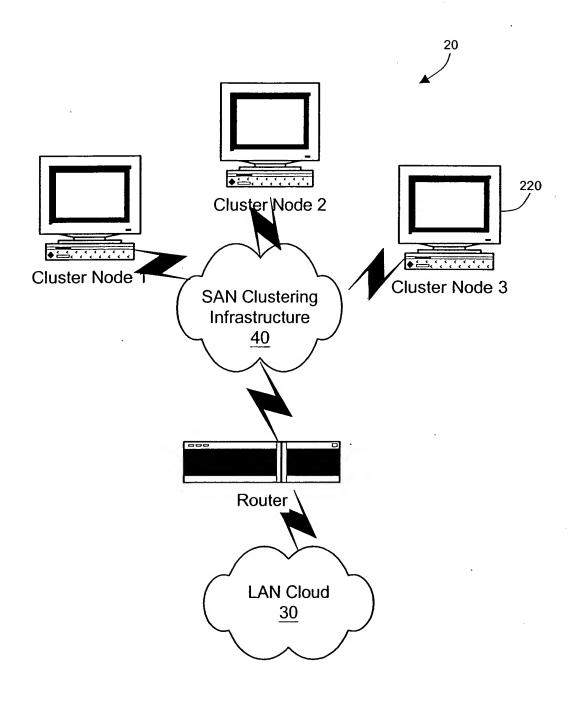
INVENTORS: Ramkrishna Prakash, David M. Abmayr, Jeffrey R. Hilland, James Fouts, Scott C. Johnson and William F. Whiteman



TITLE: ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN

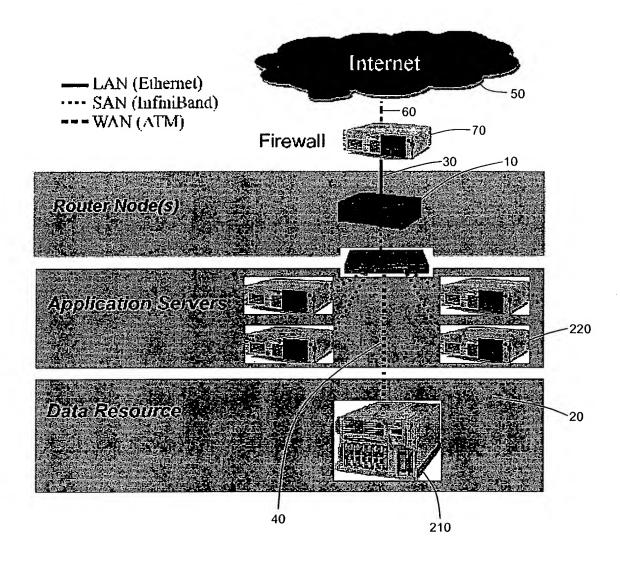
AND LAN INFRASTRUCTURES

INVENTORS: Ramkrishna Prakash, David M. Abmayr, Jeffrey R. Hilland, James Fouts, Scott C. Johnson and William F. Whiteman



ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN AND LAN INFRASTRUCTURES

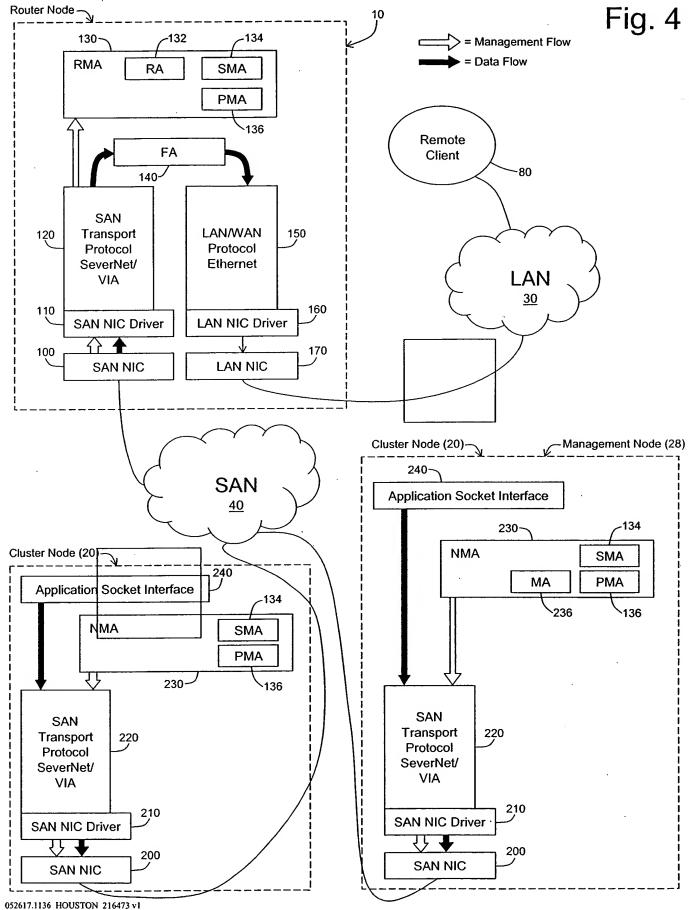
INVENTORS: Ramkrishna Prakash, David M. Abmayr, Jeffrey R. Hilland, James Fouts, Scott C. Johnson and William F. Whiteman



ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN

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ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN AND LAN INFRASTRUCTURES

INVENTORS: Ramkrishna Prakash, David M. Abmayr, Jeffrey R. Hilland, James Fouts, Scott C. Johnson and William F. Whiteman

ATTY DKT NO.: H052617.1136US0

Policy Table

Fig. 5

Services	Eligibility 2	SAN address (Weight
http	No Authorization Required	Clust Node 1	Allocate Twice
ftp	No Authorization Required	Clust Node 2	Allocate Once
SAP	Authorization Required	Clust Node 1	Allocate Once

Session Table

Fig. 6

SRC MAC	SRC IP Add	THE RESERVE TO SERVE THE PARTY OF THE PARTY	DEST SAN Add	Session: Handle
Rem Clnt1 MAC	Rem Clnt I IP	Rem Clnt1 Sock#	Clust Node l	Session Handle1
Rem Clnt2 MAC	Rem Clnt1 IP	Rem Clnt1 Sock #	Clust Node2	Session Handle2
Rem Clnt2 MAC	Rem Clnt I IP	Rem Clnt1 Sock#	Clust Node3	Session Handle3

ARCHITECTURAL BASIS FOR THE BRIDGING OF SAN

AND LAN INFRASTRUCTURES

INVENTORS: Ramkrishna Prakash, David M. Abmayr, Jeffrey R. Hilland,

James Fouts, Scott C. Johnson and William F. Whiteman

ATTY DKT NO.: H052617.1136US0

Fig. 7

Cluster Node Management Election Packet

Broadcast from the Cluster Nodes:

0	1	2	3		
	Source IF	address			
	Destination	IP address			
Prio	rity	Clus	ster ID		
Packet	Туре	Function			
	Router IP ad	dress (N/A)			
	Management Node	IP address (N/A)			
Source Port (N/A). Destination Port (N/A).					

Router Node Management Election Acknowledge Packet

Reply from the Router Node

. 1	0	1		2	3
			Source IP ad	dress	
			Destination IP	address	
	. Paioni	ly (N/A):		Clu	ister ID
3233331313	Packe	et Type		Fu	inction
			Router IP ad	dress	
70.		, Mana	gement/Node IP	address (N/A)	型的 设置 的设置。
	Source I	Port (IV/A)	100	Destination	on Port (N/A)

Fig. 9

Management Node Notification Packet

Sent from the Router Node to the Cluster Nodes

0	1		2	3
	Se	ource IP addr	ess	
	Des	tination IP ad	dress	
	/(N/A)	87	C	luster ID
	Туре		F	function
	R	outer IP addre	ess	
	Manage	ment Node II	address	
Source P	ort (N/A)	检验器 33	Destinat	ion Port (N/A)



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§ **Confirmation No.:** 1059 In re Applicant:

RAMKRISHNA PRAKASH DAVID M. ABMAYR JEFFREY H. HILLAND JAMES FOUTS SCOTT C. JOHNSON WILLIAM F. WHITEMAN

Filed: December 31, 2001 Art Unit: 2151

Examiner: Serial No.: 10/039,125

For: ARCHITECTURAL BASIS FOR Docket No.: H052617.1136US0

LAN INFRASTRUCTURES

BOX DAC

Assistant Commissioner for Patents Washington, D.C. 20231

THE BRIDGING OF SAN AND

SUPPLEMENTAL DECLARATION OF ROCHELLE M. PLEASANT

- I, Rochelle M. Pleasant, declare as follows:
- 1. I am over the age of 18 years of age and am fully competent to make this declaration. I am a prosecution paralegal in the firm of Akin Gump Strauss Hauer & Feld LLP, the designated attorneys of record by Compaq Information Technologies Group, L.P. ("CITG") in the above-identified patent application, as reflected by the Power of Attorney executed by Marcella Barboza, Patent Administrator for CITG, assignee of the interests of co-inventors Ramkrishna Prakash, David M. Abmayr, Jeffrey H. Hilland, James Fouts, William F. Whiteman and Scott C. Johnson. Unless otherwise indicated, I have personal knowledge of the facts set forth herein.
- 2. On information and belief, a Decision Refusing Status Under 37 CFR 1.47(a) in the above-referenced application was mailed to our office on October 30, 2002.

- 3. On November 21, 2002, I left a voicemail for co-inventor Jeffrey Hilland, as well as a follow up email on November 22, 2002, requesting any additional information he may have to help us locate Mr. Johnson. On the same date, Mr. Hilland responded to my email providing a middle name of "Conrad" for Mr. Johnson (see Exhibit A attached).
- 4. On November 25, 2002, I contacted Dell Computer Corporation and left a message for a "Scott Johnson" to see if he was the co-inventor of this application, since the last known address of Mr. Johnson was in Round Rock, Texas. Mr. Johnson returned my telephone call and indicated he never worked for CITG (see notes attached as **Exhibit B**).
- 5. On December 17, 2002, I performed a paid "Basic Locate People" search on www.ussearch.com using the full name of Scott Conrad Johnson, approximate age: 40, and state: Texas, as my search criteria. The results indicated only one Scott Conrad Johnson in the state of Texas, located at 3612 Galena Hills Loop, Round Rock, Texas 78681, however a phone number was not provided (see US Search results attached as Exhibit C).
- 6. On December 17, 2002, I sent a letter via certified mail, return receipt requested, to Scott C. Johnson at his present home address requesting that he execute a Declaration and an Assignment conveying his interests in the above-identified patent application to CITG (see Exhibits 1 and 2 attached to Request for Reconsideration). Also enclosed with the letter was a copy of the above-referenced patent application as filed with formal drawings.
- 7. On December 30, 2002, in an effort to avoid filing this Request for Reconsideration, I contacted Elaine Hammond, who is employed by the Assignee in Austin, Texas, to see if she knew where Mr. Johnson is employed. Ms. Hammond returned my call and informed me at approximately 1:45 p.m. this afternoon that Mr. Johnson is President of a newly formed company named Surgient Networks, Inc. located at 8303 Mopac, Suite C300, Austin, Texas 78759 (see notes and printout of Surgient Networks website attached as Exhibit D). With this information, I immediately contacted Surgient Networks and through an automated system, left a detailed voicemail message for Mr. Scott C. Johnson asking for his cooperation in signing and faxing back the Declaration. Additionally, I asked that he return my call if for any reason he refused to sign the Declaration. As of 5:30 p.m. CST, my call has not been returned. I again attempted to reach Mr. Scott C. Johnson at his last known home telephone number of (512) 310-

9311, however, this time an answering machine recording stated "you have reached Shannon and Branna," and hearing this information, I did not leave a message (see notes on attached Exhibit E).

8. As of the filing of this Request for Reconsideration, no response has been received from Mr. Johnson.

Facts Provided in Declaration of Rochelle M. Pleasant (filed 09/06/2002)

- 9. On April 5, 2002, I attempted to contact Mr. Scott C. Johnson at his last known home telephone number of (512) 310-9311, and received a recording stating that the telephone number I dialed was disconnected. I then called directory assistance in Houston, Austin, Dallas, and Round Rock areas in an attempt to locate Mr. Johnson, to no avail. Further, I performed an Internet search on www.theultimatewhitepages.com (a searchable website using five different search engines), and after contacting some of the Scott C. Johnson's listed in Texas, was not able to locate the Scott C. Johnson who used to be employed by CITG (see Exhibit F attached).
- 10. On April 24, 2002, I again contacted the last known home telephone number of (512) 310-9311 and this time received an answering machine. I left a detailed voicemail message for Mr. Johnson as to the nature of my call and requested that he return my telephone call. Another message was left on May 6, 2002 (see notes on **Exhibit E** attached). The calls went unreturned.
- 11. On July 12, 2002, I emailed CITG in the normal course of business with the July 8, 2002 filing of the Transmittal of Missing Parts indicating that we were still attempting to locate and contact Mr. Johnson, co-inventor of this application (see Exhibit G attached).
- 12. On or about August 1, 2002, the undersigned's office received the Notice of Incomplete Reply (mailed by the PTO on July 24, 2002). Further searches were performed via directory assistance and the Internet in an attempt to locate the co-inventor, Mr. Scott C. Johnson (see printouts attached as Exhibit H).

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1230.002

Rochelle M. Pleasant, CLA, Prosecution Paralegal

Akin Gump Strauss Hauer & Feld LLP

Pleasant, Rochelle

From:

Hilland, Jeff [Jeff.Hilland@hp.com]

Sent:

Friday, November 22, 2002 5:03 PM

To:

Pleasant, Rochelle

Subject: FW: P99-2712 - Scott C. Johnson (co-inventor)

FYI: Confirmed Middle name!!

-Jeff

----Original Message----

From: Hudson, Chuck (Austin)

Sent: Friday, November 22, 2002 4:56 PM

To: Hilland, Jeff

Subject: FW: P99-2712 - Scott C. Johnson (co-inventor)

-----Original Message-----

From: Hammonds, Elaine

Sent: Friday, November 22, 2002 4:52 PM

To: Hudson, Chuck (Austin)

Subject: RE: P99-2712 - Scott C. Johnson (co-inventor)

Conrad (as in Thomas-Conrad) is his middle name.

Elaine Hammonds
Administrative Assistant
Industry Standard Servers - Austin
Hewlett-Packard Corporation
(512) 432-8634
elaine.hammonds@hp.com

-----Original Message-----

From: Hudson, Chuck (Austin)

Sent: Friday, November 22, 2002 3:31 PM

To: Hammonds, Elaine

Subject: FW: P99-2712 - Scott C. Johnson (co-inventor)

Elaine,

Would you know?

Chuck H.

----Original Message----From: Hilland, Jeff

Sent: Friday, November 22, 2002 11:15 AM

To: Hudson, Chuck (Austin) **Cc:** Pleasant, Rochelle

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Subject: RE: P99-2712 - Scott C. Johnson (co-inventor)

Chuck: Do you happen to know Scott Johnson's middle name or where he went? This is an *old* patent we worked on together years ago...

Thanks, Jeff

-----Original Message-----

From: Pleasant, Rochelle [mailto:rpleasant@AKINGUMP.COM]

Sent: Friday, November 22, 2002 9:38 AM

To: Hilland, Jeff

Subject: P99-2712 - Scott C. Johnson (co-inventor)

Importance: High

I left you a voicemail yesterday, but thought I would email you as well. By chance, do you know where Scott Johnson works, or at least his middle name? The information provided by HR shows Scott living in Round Rock, TX. I do find one Scott Conrad Johnson, who is 47 years old -- do you think that might be him? I do not know his date of birth, so I have no way of confirming.

I have been unable to locate him to sign the Declaration for the referenced application, so I have to Petition the Patent Office to accept the Declaration signed by you and the other co-inventors on his behalf.

Any information you can provide would be greatly appreciated! Thank you, Jeff.

Rochelle M. Pleasant, CLA
Patent Prosecution Paralegal
Intellectual Property Section
Akin, Gump, Strauss, Hauer & Feld, LLP
Houston, Texas
(713) 250-2133 - direct
(713) 220-2304 - direct fax
www.akingump.com

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(1-800-877-3272) dditional charges may apply		Records Found ne name to get the current or ress information for all record:		
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"Scott C.	2 SCOTT LAWREN	ICE JOHNSON	ROUND ROCK	. 10
Johnson"	3 SCOTT ALAN JOHNSON		ROUND ROCK	
-Criminal Records	4 SCOTT MICHAEL JOHNSON		ROUND ROCK	
-Property	5 SCOTT JOHNSO	<u>N</u>	ROUND ROCK	
<u>Dwnership</u>	6 SCOTT RANDEL	L JOHNSON	ROUND ROCK	•
-Basic Background	7 SCOTT JOHNSO	<u>N</u>	ROUND ROCK	
-More		e name to get the current or ress information for all records		
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		ing the right record? Let a US	SEARCH specialist run y	our sea

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512-338-4400 - main 4.
910am LOVM NAY 1 Products Support

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Me from Scott = never worked for Cumpag.

Pleasant, Rochelle

From:

US Search [confirmation@ussearch.com]

Sent:

Tuesday, December 17, 2002 9:35 AM

To:

rpleasant@akingump.com

Subject: Order Confirmation

Dear Rochelle Pleasant,

Thank you for placing your order with US SEARCH! Your order was placed at 12/17/2002 07:34:59 AM PST

Your Sales Order Number is: 70863076 Your Order Tracking Number is: Q41H287

(Please print this page or write down both numbers for future reference)

You have chosen the following item(s):

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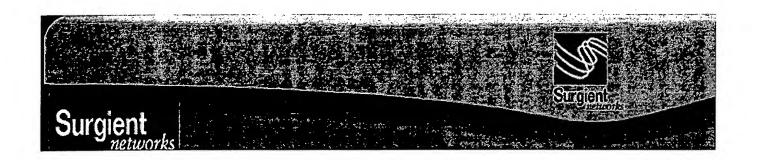
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#	. Name	Gender	Street Address	City	State	Zip	Phone
1	SCOTT CAMERON JOHNSON	М	11643 CHUCKSON DR	HOUSTON	TX	77065	
2	SCOTT CONRAD JOHNSON	M	3612 GALENA HILLS LOOP	ROUND ROCK	TX	78681	
3	SCOTT CAMERON JOHNSON	M	10120 FM 346 WEST RR 02 BOX 5	PILOT POINT	TX	76258	
4	SCOTT CARY JOHNSON	М	HIGHWAY 271N AND FM 906	POWDERLY	TX	75473	
5	SCOTT CARY JOHNSON	M	2832 BELHAVEN DR RT 1 BOX 505	POWDERLY	TX	75473	
6	SCOTT CARLTON JOHNSON	М	2016 PRIMROSE ST	HOUSTON	TX	77004	
7	SCOTT CHARLES JOHNSON	M	8609 MOYE DR	EL PASO	TX	79925	
8	SCOTT CARL JOHNSON	M	8529 HOLLY ST	FRISCO	TX	75034	
9	SCOTT CHARLES JOHNSON	M	14100 THERMAL DR UNIT 1401	AUSTIN	TX	78728	
1	SCOTT CHARLES JOHNSON	М	215 BROUGHTON DR	WOODWAY	TX	76712	
1	1 SCOTT CHARLES JOHNSON	М	340 MILL CREEK CIR	WOODWAY	TX	76712	
1:	2 SCOTT CURTIS JOHNSON	M	4706 TAMMY DR	WICHITA FALLS	TX	76306	
1	3 SCOTT CURTIS JOHNSON	М	7901 DURGANS HILL CT	FORT WORTH	TX	76137	
1	4 SCOTT C JOHNSON	М	17718 FIFE LN	WEBSTER	TX	77598	
1	5 <u>SCOTT CHARLES</u> JOHNSON	M	3111 PARKER 311	AUSTIN	TX	78741	
1	6 SCOTT CHARLES JOHNSON	М	602 SALEM LN UNIT	AUSTIN	TX	78741	
1	7 SCOTT CASEY JOHNSON	<u>M</u>	317 TANGLEWOOD LN	LEWISVILLE	TX	75077	
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326pm-attempted Scott again LS LDVM for Scottoto pls

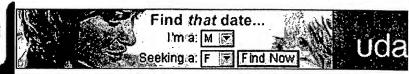
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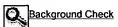
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	4.	\$ 2.95	JOHNSON SCOTT C	HOUSTON ,TX			

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From:

Pleasant, Rochelle

Sent:

Friday, July 12, 2002 3:58 PM

To:

'Patent.Pros@hp.com'

Cc:

Clonts, David R; Jordan, George W; Boyd, Brent

Subject:

P99-2712 Transmittal of Missing Parts w/Assignment

Re:

U.S. Patent Application Serial No. 10/039,125

Entitled:

Architectural Basis for the Bridging of SAN and LAN Infrastructures

Ramkrishna Prakash, David M. Abmayr, Jeffrey H. Hilland, James Fouts, Inventor(s):

Scott C. Johnson and William F. Whiteman

Compaq ref.: P99-2712 (ISSG-SPD)

Our ref:

052617.1136

Applicant:

Compaq - Houston

We have made several attempts to reach co-inventor Scott C. Johnson. We are going to prepare a Petition to support our efforts to allow the signatures of the other co-inventors to be accepted on Mr. Johnson's behalf.









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က	SCOTT CAMERON JOHNSON	PILOT POINT	¥	46
4	SCOTT CARY JOHNSON	POWDERLY	¥	43
2	SCOTT CARY JOHNSON	POWDERLY	¥	43
9	SCOTT CARLTON JOHNSON	HOUSTON	¥	43
7	SCOTT CHARLES JOHNSON	EL PASO	¥	43
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တ	SCOTT CHARLES JOHNSON	AUSTIN	¥	40
10	SCOTT CHARLES JOHNSON	WOODWAY	¥	39
11	SCOTT CHARLES JOHNSON	WOODWAY	¥	39
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13	SCOTT CURTIS JOHNSON	FORT WORTH	ĭ	39
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15	SCOTT CHARLES JOHNSON	AUSTIN	¥	32

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Ownership -Property

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47	SCOTT C JOHNSON	WEBSTER CITY	⊴	44
48	SCOTT CURTIS JOHNSON	NORA SPRINGS	⊴	43
49	SCOTT C JOHNSON	ENGLEWOOD	8	47
20	SCOTT C JOHNSON	ENGLEWOOD	8	47
21	SCOTT C JOHNSON	LEONARD	₹	45
52	SCOTT C JOHNSON	GALESBURG	Ξ	
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22	SCOTT C JOHNSON	OXFORD	Ξ	45
26	SCOTT C JOHNSON	JACKSONVILLE	SC	1
22	SCOTT CONRAD JOHNSON	ROUND ROCK	¥	47
28	SCOTT CAMERON JOHNSON	PILOT POINT	¥	46
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62	SCOTT CHARLES JOHNSON	EL PASO	¥	43
63	SCOTT C JOHNSON	CLEARFIELD	PA	
64	SCOTT C JOHNSON	ALLENTOWN	PA	43
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6 7	SCOTT COREY JOHNSON	SEVEN VALLEYS	PA	43
89	SCOTT C JOHNSON	MINNEAPOLIS	Z	,
69	SCOTT CHARLES JOHNSON	MANKATO	Σ	43
20	SCOTT CHARLES JOHNSON	DALTON	Z	43
71	SCOTT CRAIG JOHNSON	BLOMKEST	Z Z	44
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73	SCOTT CURTIS JOHNSON	MADISON LAKE	Z Z	43

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NEST HOLLYWOOD

SCOTT CHRISTIAN JOHNSON

SCOTT C JOHNSON SCOTT C JOHNSON

SCOTT CHARLES JOHNSON

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-Property	2	SCOTT C JOHNSON	OXNARD	CA	42
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16	SCOTT CHARLES JOHNSON	PORTLAND	OR R	40
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43	SCOTT C JOHNSON	LOCKPORT	_	4
4	SCOTT C JOHNSON	MORRIS	_	38
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49	SCOTT C JOHNSON	BEAVER DAM	×	•
20	SCOTT C JOHNSON	MADISON	⋝	11
51	SCOTT C JOHNSON	ALTOONA	N	11
52	SCOTT C JOHNSON	BEAVER DAM	M	40
53	SCOTT C JOHNSON	HUDSON	⅀	40
24	SCOTT C JOHNSON	WAUSAU	⊼	39
22	SCOTT C JOHNSON	RACINE	₹	39
26	SCOTT C JOHNSON	GREEN BAY	M	38
22	SCOTT C JOHNSON	APPLETON	₹	38
28	SCOTT C JOHNSON	ОМАНА	Ä	t
29	SCOTT C JOHNSON	ANDOVER	MΑ	39
09	SCOTT C JOHNSON	DURHAM	ĭ	38
61	SCOTT C JOHNSON	PHOENIX	ΑZ	,
62	SCOTT C JOHNSON	OKOLONA	MS	38
63	SCOTT C JOHNSON	RIVERTON	Z	1
64	SCOTT C JOHNSON	BRANFORD	CT	42
65	SCOTT C JOHNSON	CENTERBROOK	СТ	42
99	SCOTT C JOHNSON	OKLAHOMA CITY	š	38
29	SCOTT C JOHNSON	FAYETTEVILLE	AR	41
89	SCOTT C JOHNSON	WINFIELD	ΚS	40
69	SCOTT C JOHNSON	WINFIELD	KS	40
20	SCOTT C JOHNSON	HUNTSVILLE	5	40
71	SCOTT C JOHNSON	MASSILLON	Ы	41
72	SCOTT C JOHNSON	MASSILLON	ᆼ	41
73	SCOTT C JOHNSON	LANCASTER	Н	39
74	SCOTT C JOHNSON	BEDFORD	Н	38
75	SCOTT C JOHNSON	MITCHELLVILLE	⊴	
9/	SCOTT C JOHNSON	DES MOINES	⊴	1
1			:	•

:	SCOLI CARL JOHNSON	ALIOONA	⋖	40
28	SCOTT CARL JOHNSON	ALTOONA	≰	40
79	SCOTT CHARLES JOHNSON	ANKENY	⊴	38
80	SCOTT CLAY JOHNSON	BETTENDORF	≰	39
81	SCOTT CLAY JOHNSON	BETTENDORF	⊴	39
82	SCOTT C JOHNSON	DENVER	8	42
83	SCOTT C JOHNSON	DENVER	8	42
84	SCOTT C JOHNSON	DENVER	8	42
85	SCOTT C JOHNSON	ORCHARD	8	40
98	SCOTT C JOHNSON	DENVER	8	39
87	SCOTT COLLINS JOHNSON	KIT CARSON	8	42
88	SCOTT C JOHNSON	LOUISIANA	Q	39
83	SCOTT C JOHNSON	IRON MOUNTAIN	Ī	42
90	SCOTT C JOHNSON	IRON MOUNTAIN	≅	42
91	SCOTT C JOHNSON	GALESBURG	≅	ı
92	SCOTT C JOHNSON	SAGINAW	₹	39
93	SCOTT C JOHNSON	IRON MOUNTAIN	₹	43
94	SCOTT C JOHNSON	SAGOLA	₹	42
92	SCOTT CHARLES JOHNSON	CASSOPOLIS	₹	43
96	SCOTT C JOHNSON	JACKSONVILLE	S	
26	SCOTT CHRISTOPHE JOHNSON	WILMINGTON	S	40
86	SCOTT CHARLES JOHNSON	WILMINGTON	SC	33
66	SCOTT CHARLES JOHNSON	OAK RIDGE	SC	38
100	SCOTT C JOHNSON	CHARLOTTE	S	42
101	SCOTT CARL JOHNSON	FRISCO	¥	40
102	SCOTT CHARLES JOHNSON	AUSTIN	¥	40
103	SCOTT CHARLES JOHNSON	WOODWAY	ĭ	39
104	SCOTT CHARLES JOHNSON	WOODWAY	¥	39
105	SCOTT CURTIS JOHNSON	WICHITA FALLS	ĭ	39
106	SCOTT CURTIS JOHNSON	FORT WORTH	¥	39
107	SCOTT C JOHNSON	CLEARFIELD	PA	

108	108 SCOTT C JOHNSON	HARLEYSVILLE	ΡA	39
109	109 SCOTT C JOHNSON	CLEARFIELD	ΡΑ	38
110	110 SCOTT C JOHNSON	LANSDALE	ΡΑ	39
11	111 SCOTT C JOHNSON	SAINT CLOUD	Z	41
112	112 SCOTT C JOHNSON	MINNEAPOLIS	Z Z	
113	113 SCOTT CHARLES JOHNSON	SAINT PAUL	Ζ Σ	39
114	SCOTT CHARLES JOHNSON	COTTAGE GROVE	Z Z	38
115	SCOTT CHARLES JOHNSON	ELBOW LAKE	Z Z	39
116	SCOTT CHRISTOPHE JOHNSON	ELBOW LAKE	Z	39
117	117 SCOTT CHRISTOPHE JOHNSON	SAINT PAUL	Z Z	4
118	SCOTT CHRISTOPHE JOHNSON	SAINT PAUL	Z Z	40
119	SCOTT CHRISTOPHE JOHNSON	SAINT PAUL	Σ	33

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Option 1 - Click on the name to get the **current or historical address**. (From \$9.95 - Internet Only) Option 2 - Basic address information for all records: <u>Click here</u>. (\$14.95 - Internet Only) <u>Sample Report</u>

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